

Remarks

Claims 11 and 12 have been canceled. Claims 1-10, 13, and 15-17 remain pending in the application. Applicant gratefully acknowledges the allowance of claims 1-8. Claims 10-13 and 16-17 had been found allowable if rewritten into independent form. Claims 9 and 15 had been rejected based on U.S. Patent 1,758,408 (Pierce).

When the present application was filed, claims 1-8 were directed to a method of installing a removable cleat in a specific cleat receptacle structure, and claims 9-17 were directed to a removable cleat adapted for insertion into a similar cleat receptacle structure. But the language used in the two different sets of claims differed in some aspects. As a result the method claims were allowed while the cleat claims were rejected and objected to.

The present amendment adapts independent claim 9 to more nearly reflect the language of claim 1, already allowed by the Examiner. Thus, claim 9 as amended requires a cleat adapted to fit into a cleat receptacle including "a wall defining a cavity ... wherein portions of the wall extend radially inward toward a central vertical axis so as to define: (i) a plurality of inclines within the cavity, and (ii) a plurality of protuberances within the cavity, each protuberance extending radially inward toward the vertical axis further than the inclines." The cited Pierce reference fails to suggest even a cavity defined by a side wall, much less the specific structure of inclines and protuberances required by claim 9. Reconsideration and issuance of a notice of allowance are respectfully requested.

Claims 10, 13, and 15-17 depend from claim 9 and have been amended to be consistent with the amended language of claim 9. Claims 10, 13, and 15-17 are allowable for the same reason as claim 9. Reconsideration and issuance of a notice of allowance are respectfully requested.

Conclusion

Applicant hereby requests a one month extension of time. A check for \$110.00 is enclosed for the extension fee. This conditional petition is being made in case applicant has inadvertently overlooked the need for a further additional extension of time. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972. It is submitted that all the claim rejections have been addressed and that all of the pending claims are now in a condition for allowance. Reconsideration of the application and issuance of a notice of allowance are respectfully requested.

Respectfully submitted,



Jay Sandvos
Registration No. 43,900
Attorney for the Applicant

BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
Tel: 617 443 9292
Fax: 617 443 0004
00430/00144 171144.1

VERSION WITH MARKINGS TO SHOW CHANGES

9. (twice amended) A removable cleat for a shoe comprising:
a ground-engaging structure for engaging the ground; and
an attachment structure for removably attaching the [cleat to the footwear, the attachment structure having a vertical axis, a base to which the top of the ground-engaging structure is attached, and at least three equidistantly spaced extensions projecting radially outward from the base;] ground-engaging structure to a cleat receptacle in a shoe, the receptacle including:
a wall defining a cavity between a receptacle top and a receptacle bottom, wherein portions of the wall extend radially inward toward a central vertical axis of the receptacle so as to define:
 1. a plurality of inclines within the cavity, and
 2. a plurality of protuberances within the cavity, each protuberance extending radially inward toward the vertical axis further than the inclines;a restraining ledge attached to the receptacle bottom and extending into the cavity so as to prevent downward movement of an installed cleat; and
an opening in the restraining ledge having at least three equidistantly spaced radially projecting lobes that extend radially outward from the vertical axis of the receptacle; and
wherein the [extensions are] attachment structure is adapted for [insertion into a cleat receptacle in the shoe to engage a receptacle attachment structure within the receptacle, so that when the cleat is attached to the receptacle, each cleat extension will be securely engaged above a receptacle

restraining ledge] secure attachment to the receptacle so as to resist rotational movement.

10. (amended) A removable cleat according to claim 9, wherein the attachment structure [engaged by the] includes a plurality of cleat extensions [includes an incline and a protuberance for each cleat extension,] arranged so that when the cleat is attached to the receptacle, each cleat extension is secured between an incline and a protuberance so as to resist rotational movement of the cleat.
15. (amended) A removable cleat according to claim [9] 10, wherein the plurality of cleat extensions lie in a plane perpendicular to [the] a vertical axis of the attachment structure.
16. (amended) A removable cleat according to claim 9, wherein the cleat further comprises a skirt located between the top of the ground-engaging structure and the bottom of the attachment structure [base], the skirt extending radially outward [beyond the radial ends of the extensions] so that when the cleat is attached to the receptacle, the skirt covers the receptacle.

00430/00144 194051.1